IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION.

CRIMINAL APPLICATION NO.667 OF 2007

IN

CRIMINAL APPEAL NO.721 OF 2004

Smt.Muktabai Babu Kajale : Appellant.

versus

The State of Maharashtra : Respondents.

Mr.N.U.Khan for the appellant.

Mr.P.S.Hingorani, APP, for the State

CORAM : D.G.DESHPANDE

SMT.NISHITA MHATRE, JJ.

DATED : JUNE 14, 2007.

P.C.

1. Heard advocate for the accused and learned APP for the State.

2. Accused Muktabai is present in court. She was convicted for life. She is on furlough

leave. This application is for extension of furlough or parole as the accused/appellant has to attend the marriage of his son as per the marriage invitation card. Furlough period expires on 16th June 2007 and the accused/appellant has to surrender on that date and, therefore, advocate for the accused/appellant states that matter may be heard today only.

3. In fact, it was necessary for the advocate for accused/appellant to annex copy of the marriage invitation card to the 2nd set of the matter as well as to furnish copy thereof to the learned APP so that APP could have verified. But looking to the fact that marriage invitation card is there and the presence of the accused/appellant, being a mother, is necessary, We grant parole to the accused/appellant from 16th June 2007 to 29th June 2007. Police Officer from Goregaon Police Station shall remain present at the place and time of the marriage on that day to verify whether really there will be a marriage at the place and time given in the marriage invitation card on the given date or not. The said police officer to submit his report to this

court on 29th June 2007. If it is found that the marriage invitation card is bogus or that there is no marriage, then action will be taken against the accused/appellant. In this view of the matter, the accused/appellant be released on parole on same terms and conditions on which she was released on furlough. She should surrender herself to the jail authority on or before 5.00 p.m. on 29th June 2007. This application is disposed of.

[SMT.NISHITA MHATRE, J] **[D.G.DESHPANDE,J]**